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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

CALIFORNIA INDEPENDENT
PETROLEUM ASSOCIATION,

Cross-complainant and
Appellant,

v.

YOUTH FOR ENVIRONMENTAL
JUSTICE et al.,

Cross-defendants and
Respondents.

B285491

(Los Angeles County
Super. Ct. No. BC600373)

APPEAL from an order of the Superior Court of Los Angeles County, Terry A. Green, Judge. Dismissed.

Alston & Bird, Jeffrey D. Dintzer, Matt Wickersham and Nathaniel Johnson, for Cross-complainant and Appellant.

Gupta Wessler, Deepak Gupta, Daniel Townsend; Kassia Rhoades Siegel, Maya Danielle Golden-Krasner; Shana D. G. Lazerow; Peiffer Wolf Carr & Kane and Adam Brett Wolf, for

Cross-defendants and Respondents Youth for Environmental Justice, Center for Biological Diversity and South Central Youth Leadership Coalition.

Michael N. Feuer, City Attorney, Terry Kaufmann Macias, Sr., Assistant City Attorney, Amy Brothers, Jennifer K. Tobkin and Patrick J. Hagan, Deputy City Attorneys, for Cross-defendants and Respondents City of Los Angeles, City of Los Angeles Department of City Planning and Michael J. LoGrande.

Respondent parties, which consist of three nonprofit environmental and social justice organizations—Youth for Environmental Justice, Center for Biological Diversity, and South Central Youth Leadership Coalition (collectively, Nonprofits)—and the City of Los Angeles along with its Department of City Planning and that department’s director (collectively, the City), filed special motions to strike the operative cross-complaint of appellant California Independent Petroleum Association (CIPA) under Code of Civil Procedure section 425.16, the anti-SLAPP statute. After the trial court denied the anti-SLAPP motions, CIPA sought its attorney fees on the ground that the anti-SLAPP motions were “frivolous or . . . solely intended to cause unnecessary delay” (Code Civ. Proc., § 425.16, subd. (c)(1)). The trial court denied CIPA’s motion, and CIPA appeals from that denial.

We reversed the orders denying Nonprofits’ and the City’s anti-SLAPP motions in a separate opinion (*Youth for Environmental Justice v. City of Los Angeles* (Feb. 15, 2019, B282822) [nonpub. opn.]). That decision obliterates any claim CIPA might have for attorney fees, and its appeal of the order denying those fees is accordingly moot.¹ (*Wilson v. Southern California Edison Co.* (2018) 21 Cal.App.5th 786, 809 [where appellate court reversed judgment for plaintiff, plaintiff was no longer prevailing party and her cross-appeal of the order denying her attorney fees was moot].)

¹ The City—joined by Nonprofits—moved to dismiss CIPA’s appeal for attorney fees on the ground that the trial court’s order denying the fees was not immediately appealable. In light of our disposition of CIPA’s appeal as moot, the City’s motion is moot as well.

DISPOSITION

CIPA's appeal of the order denying its attorney fees is dismissed as moot. The City and Nonprofits shall recover their costs on appeal.

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BAKER, Acting P. J.

We concur:

KIM, J.

JASKOL, J.^{*}

^{*} Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.